

# NOTICE OF EMERGENCY RULE-MAKING

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S. §§6172, 6192, 6193 & 6194

**Struck text is being removed, and underlined text is being added**

## BASIS STATEMENT

The Commissioner of the Maine Department of Marine Resources amends the emergency DMR Chapter 96.07 Area No. 100-A, Harpswell, Phippsburg and Boothbay area, amended on May 17, 2012. This amendment extends the mussel, European oyster (*Ostrea edulis*), and carnivorous snails closure to include inshore waters out to the three nautical mile limit west to Scarborough River and Casco Bay and east to Ocean Point (East Boothbay), due to PSP approaching unsafe levels in those species. All existing pollution and red tide/psp closures remain in effect. As authorized by 12 M.R.S. §§6172, 6192, 6193 & 6194 the Commissioner of Marine Resources adopts emergency amendments to Chapter 96.07.

**RULE TITLE AND SUBJECT:** DMR Chapter 96.07 Area No. 100-A, Harpswell, Phippsburg and Boothbay area, amended on May 17, 2012, is amended as follows:

**TITLE & TEXT OF RULE:** DMR Chapter 96.07 Area No. 100-A, Scarborough River, Casco Bay, Harpswell, Phippsburg and Boothbay area

A. Effective immediately, because of paralytic shellfish poisoning (PSP), it shall be unlawful to dig, take or possess any mussels, European oysters (*Ostrea edulis*), carnivorous snails and all species of clams from Maine coastal waters:

Harpswell and Phippsburg: East and north of a line beginning at the southern most tip of Basin Point (Harpswell) then running true south to the three nautical mile limit; AND west and north of a line beginning at the southern tip of Small Point (Phippsburg) and true south to the three nautical mile limit.

**EXCEPTION:** Quahogs may still be harvested in the Upper New Meadows Lake north of the Route 1 bridge.

B. Effective immediately, because of paralytic shellfish poisoning (PSP), it shall be unlawful to dig, take or possess any mussels, European oysters (*Ostrea edulis*) and carnivorous snails taken from Maine coastal waters:

Scarborough River: north of a line beginning at Pine Point and running east to the opposite shore (Ferry Beach).

Casco Bay to Harpswell: east and north of a line beginning at East Point on Prouts Neck (Scarborough) running south out to three nautical mile limit; AND west of a line beginning at the southern tip of Small Point (Phippsburg) running south to the three nautical mile limit.

Small Point (Phippsburg) to Ocean Point (East Boothbay) ~~Boothbay Harbor~~: west and north of a line beginning at the southern tip of Small Point (Phippsburg) running south to the three nautical mile limit; ~~East and north of a line beginning at the southern tip of Southport Island (Newagen), then running true south to the limits of the three nautical mile limit;~~ AND west and south of a line beginning at the southern tip of Ocean Point (East Boothbay), then running true south to the three nautical mile limit; AND south of a line beginning at Popham Beach (Phippsburg) running northeast to the end of Indian Point Road (Georgetown) and continuing northeast to the southern tip of Newagen (Southport). See PSP Closure 100-B for closure east of here.

EFFECTIVE DATE: May 24, 2012

EFFECTIVE TIME: 7:53 PM

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# Maine Department of Marine Resources

## PSP Area No. 100-A

Scarborough, Casco Bay, Harpswell, Phippsburg and Boothbay Area



5/24/12

### Legend

-  PSP mussel, European oyster and snail closure
-  PSP Clam

